

Notice of Allowability

Application No.

10/650,547

Examiner

Freshteh N. Aghdam

Applicant(s)

AMERGA ET AL.

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 9/20/2007.
2. ☒ The allowed claim(s) is/are 1,3-7,10-17 and 19-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Pappas on 12/7/2007.

As to claim 1, line 7, replace the phrase "within a pre-determined" with the phrase "within a first predetermined."

As to claim 1, line 19, replace the phrase "exceeds a pre-determined" with the phrase "exceeds a second predetermined."

As to claim 12, line 1, insert the phrase "at least one of the first and second" between the term "wherein" and the phrase "the pre-determined."

As to claim 13, line 1, insert the phrase "at least one of the first and second" between the term "wherein" and the phrase "the pre-determined."

As to claim 16, lines 6 and 7, replace the phrase "within a pre-determined" with the phrase "within a first predetermined."

As to claim 16, line 14, replace the phrase "exceeds a pre-determined" with the phrase "exceeds a second predetermined."

As to claim 20, line 7, replace the phrase "within a pre-determined" with the phrase "within a first predetermined."

As to claim 20, line 14, replace the phrase "exceeds a pre-determined" with the phrase "exceeds a second predetermined."

As to claim 21, lines 6 and 7, replace the phrase "within a pre-determined" with the phrase "within a first predetermined."

As to claim 21, line 14, replace the phrase "exceeds a pre-determined" with the phrase "exceeds a second predetermined."

Allowable Subject Matter

Claims 1, 3-7, 10-17, and 19-21 are allowed. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to disclose a processor for comparing a stored offset from a previous search with the offset of a search result of the plurality of search results, and removing the corresponding search result from the plurality of search results when the search result offset is within a first predetermined threshold of the stored offset; ...; wherein the searcher further correlates the received signal with a scrambling code over a search window to produce a list search result; ...; and wherein the processor further removes a scrambling code identifier from the plurality of scrambling code identifiers when the list search result exceeds a second predetermined threshold.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is 571-272-6037. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Freshteh Aghdam
Examiner
Art Unit 2611

December 7, 2007


CHIEH M. FAN
SUPERVISORY PATENT EXAMINER